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NSCID No. 5
(New Series)

NATIONAL SECURITY COUNCIL INTELLIGENCE

DIRECTIVE NO. 5¹

U.S. ESPIONAGE AND COUNTERINTELLIGENCE
ACTIVITIES ABROAD

(Effective 21 April 1958)

Pursuant to the provisions of Section 102(d) of the National Security Act of 1947, as amended, the National Security Council hereby authorizes and directs that:

1. For the purpose of this directive:

a. *Espionage* is defined as that intelligence activity which is directed toward the acquisition of information through clandestine operations.

b. *Counterintelligence* is defined as that intelligence activity, with its resultant product, which is devoted to destroying the effectiveness of inimical foreign intelligence activities and which is undertaken to protect the security of the nation, and its personnel, information and installations abroad, against espionage, sabotage, and subversion. Counterintelligence includes the process of procuring, developing, recording, and disseminating information concerning hostile clandestine activity and of penetrating, manipulating, or repressing individuals, groups, or organizations conducting or capable of conducting such activity.

2. To ensure centralized direction through prior, comprehensive and continuing coordination of all clandestine activities authorized herein, the Director of Central Intelligence shall:

a. Establish, in consultation with the Intelligence Advisory Committee, the procedures necessary to achieve such direction and coordination;

b. Coordinate all clandestine activities authorized herein and conducted outside the U.S. and its possessions, including liaison which concerns clandestine activities or which involves foreign clandestine services, except when the provisions of paragraph 8 apply; also coordinate clandestine activities with overt collection abroad;

c. Invite departments and agencies not permanent members of the Intelligence Advisory Committee which have clandestine counterintelligence responsibilities abroad to participate in the Intelligence Advisory Committee deliberations when clandestine counterintelligence matters affecting such responsibilities are under consideration;

d. Make mutually agreeable arrangements with other departments and agencies for such cover support as may be needed by the Central Intelligence Agency and coordinate the arrangements for cover support required by any other department or agency to carry out the

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clandestine activities authorized in paragraph 4 below, except when such cover is to be provided unilaterally and without utilizing the facilities of, or becoming identified with, other departments or agencies of the government or non-governmental organizations.

3. The Central Intelligence Agency has primary responsibility for U.S. clandestine activities abroad. Subject to the provisions of paragraph 8, it is responsible for the following services of common concern:

a. The conduct of espionage outside the United States and its possessions in order to meet the intelligence needs of all departments and agencies concerned, in connection with the national security;

b. The conduct of clandestine counterintelligence outside the United States and its possessions;

c. The conduct of liaison with foreign clandestine services or concerning the above clandestine activities with foreign intelligence or security services;

d. The maintenance for the benefit of the intelligence community of central indexes and records of foreign counterintelligence information. All departments and agencies shall contribute to this index, on a continuing basis, such material collected by them as is appropriate for a central file; this material shall be collated and analyzed for appropriate dissemination.

e. Upon request and to the extent practicable, assisting other departments and agencies in connection with their cover support needs.

4. Subject to the provisions of paragraph 2 above, other departments and agencies with commands or installations located outside the U.S. and its possessions may:

a. Conduct supplementary espionage in order to satisfy departmental intelligence needs;

b. Conduct clandestine counterintelligence activities necessary for the security of their personnel, commands, activities and installations;

c. Conduct liaison with foreign clandestine services or concerning the above clandestine activities with foreign intelligence or security services.

5. The departments and agencies concerned shall assist the Central Intelligence Agency in its conduct of espionage by providing guidance in the form of continuous, timely and specific collection requirements and, as required, assessments of the information collected. Such departments and agencies shall provide similar support to each other as required.

6. In a foreign area, except where paragraph 8 applies, the Director of Central Intelligence shall, after consultation with the Secretary of State, insure that the senior U.S. representative, or his designated representative, is appropriately advised of U.S. espionage and clandestine counterintelligence activities conducted in or from the area.

7. In a foreign area where major U. S. military commands are stationed the designated representative of the Director of Central Intelligence shall keep the senior U. S. military commanders, or their design-

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ated representatives, appropriately informed of the espionage and clandestine counterintelligence activities and operations, conducted by the Central Intelligence Agency in or from such areas, including liaison between CIA and foreign military establishments.

8. In active theaters of war where U.S. forces are engaged, or when the President so directs:

a. Except as provided in sub-paragraph b. below, the entire Central Intelligence Agency organization conducting espionage and clandestine counterintelligence operations in or from a theater shall as a component force be under the direct command of the U. S. Theater Commander in accordance with agreements separately reached between the Director of Central Intelligence and the Joint Chiefs of Staff, and shall provide espionage and counterintelligence support to military operations;

b. Espionage and counterintelligence operations which, because of some exceptional political, diplomatic or other implication, are conducted independently by the Central Intelligence Agency, shall be coordinated by the Director of Central Intelligence with the Joint Chiefs of Staff and, as appropriate, with the Secretary of State;

c. The Joint Chiefs of Staff and the Director of Central Intelligence shall establish general procedures for the coordination of liaison on clandestine activities between U.S. military commanders and foreign services that engage in such activities.

9. In addition to the above, the Director of Central Intelligence, in consultation with the Intelligence Advisory Committee and other interested departments and agencies shall:

a. Develop appropriate policy recommendations for National Security Council consideration with respect to the over-all U.S. counterintelligence effort conducted outside the U.S. and its possessions;

b. To the extent necessary to ensure conformity with policies approved by the National Security Council, provide for the coordination of all types of U.S. counterintelligence activities conducted abroad and for the coordination of such activities with those conducted by the departments and agencies responsible for domestic counterintelligence.

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NATIONAL SECURITY COUNCIL INTELLIGENCE DIRECTIVE NO. 5

ESPIONAGE AND COUNTERESPIONAGE OPERATIONS

(Revised 28 August 1951; TOP SECRET)

Pursuant to the provisions of Section 102 (d) of the National Security Act of 1947, the National Security Council hereby authorizes and directs that:

1. The Director of Central Intelligence shall conduct all organized Federal espionage operations outside the United States and its possessions for the collection of foreign intelligence information required to meet the needs of all Departments and Agencies concerned, in connection with the national security, except for certain agreed activities by other Departments and Agencies.

2. The Director of Central Intelligence shall conduct all organized Federal counterespionage operations outside the United States and its possessions and in occupied areas, provided that this authority shall not be construed to preclude the counter-intelligence activities of any army, navy or air command or installation and certain agreed activities by Departments and Agencies necessary for the security of such organizations.

3. The Director of Central Intelligence shall be responsible for coordinating covert and overt intelligence collection activities.

4. When casual agents are employed or otherwise utilized by an IAC Department or Agency in other than an overt capacity, the Director of Central Intelligence shall coordinate their activities with the organized covert activities.

5. The Director of Central Intelligence shall disseminate such intelligence information to the various Departments and Agencies which have an authorized interest therein.

6. All other National Security Council Intelligence Directives or implementing supplements shall be construed to apply solely to overt intelligence activities unless otherwise specified.

7. In an occupied area, the representative of the Director of Central Intelligence will coordinate espionage and counterespionage operations in or from the area with the senior U. S. Representative and keep the Senior U. S. Military Commander informed in general of the clandestine collection activities conducted by DCI in or from such area.

8. In an area other than theaters of war or occupied areas, the representative of the Director of Central Intelligence will keep the senior U. S. Representative appropriately advised of the espionage and counterespionage operations in or from the area.

9. When CIA requires Service support for espionage and counterespionage projects, such support as may be authorized by the Department of Defense will be planned jointly with the Joint Chiefs of Staff.

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10. In time of war or when the President directs, the Director of Central Intelligence will coordinate espionage and counterespionage operations in or from a theater of active military operations with the Joint Chiefs of Staff. In active theaters of war, where American forces are engaged, representatives of the Director of Central Intelligence conducting espionage and counterespionage operations in or from the theater shall be under the direct command of the United States theater commander.

NOTE: NSCID 5 was first issued 12 December 1947. The 1951 revision added paragraphs 7-10.

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